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EXAMINER	
HANNETT, JAMES M	

ART UNIT	PAPER NUMBER
2612	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/219,121	TANAKA, HIROSHI	
	Examiner	Art Unit	
	James M. Hannett	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 January 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,10-14,17-24,26-28,30,31,33,34 and 38* is/are rejected.

7)☒ Claim(s) *6-9, 15, 16, 25, 29, 32, and 35-37* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 December 1998* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/20/2006 has been entered.

Response to Arguments

Applicant's arguments filed 1/30/2006 have been fully considered but they are not persuasive. The applicant argues that Nakazawa does not teach storing that the order information and the photographing image data on the same recording medium and argues that the system of Nakazawa teaches recording the photographing image data and the order information in different recording mediums.

The examiner strongly disagrees with the applicant. Nakazawa clearly stated on Column 8, Lines 14-17 that the order information is stored in memory (60). Furthermore, Nakazawa teaches on Column 9, Lines 10-14 that the picture data is also stored in memory (60).

The applicant argues that Nakazawa does not teach that the actual image output service, such as outputting a requested number of copies for each image data, is carried out through the printer.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the actual image output service, such as outputting a requested number of copies for each image data, is

carried out through the printer.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant's arguments with respect to claims 3 and 5 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's arguments, related to claims 6, 7 and 9 filed 1/30/2006, have been fully considered and are persuasive. The rejection of claims 6, 7 and 9 has been withdrawn.

The applicant argues that Nakazawa does not teach a system capable of directly taking an image of a real object. The applicant argues that since the system of Nakazawa scans an image already recorded on a negative film, the system does not directly take an image of a real object.

The examiner disagrees with the applicant. Although the system of Nakazawa scans an image already recorded on a negative film, this image is viewed by the examiner as a real object and is directly taken by the film scanner. The applicant is advised that amending the claim to state that the image is taken without the use of a photographic film would overcome the current grounds of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1: Claims 1, 2, 4, 19, 20 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,331,903 Nakazawa et al.

2: Referring to claim 1, Nakazawa discloses an order processing method used in an image output service comprising the steps of obtaining image data by photographing image data using a CCD 13 in figure 8 and storing all picture data for the photographed frames in the recording medium 60. The obtained image data is displayed on the display medium 30 for the user to preview the image. The user using the control key section 50 provides output instructions for the image data. Order information describing the output instructions are generated in a predetermined data format and stored in the recording medium 60 along with the corresponding image data. Nakazawa discloses that the monitor section 30 can display the index picture consisting of a plural of frames of image data along with the instructed order information. An order is certified by the user by recording confirmed order information in the recording medium 60 when a predetermined order confirmation operation is performed by the user operating the control key 50 indicating that the user has confirmed the content of the output instructions by watching the display of the display medium 30. When the order and order confirmations completed, the CPU 70 outputs the order information to the printer 24 by which the image data is printed in accordance with the confirmed order information (Col. 8, Line 4 - Col. 9, Line 55). The examiner points out that the system as discussed in Nakazawa is viewed as a digital camera system because the CCD (13) captures images and outputs a digitized image. Therefore, it is viewed by the examiner that the steps of obtaining the image data, replaying the image data, receiving the output instructions, generating the order information, displaying on the displaying medium all image data output, and certifying the order are carried out in the digital camera.

3: Referring to claim 2, Nakazawa discloses an order processing system used in an image output service comprising the means of obtaining image data by photographing image data using a CCD 13 in figure 8 and storing all picture data for the photographed frames in the recording medium 60. The obtained image data is displayed on the display medium 30 for the user to preview the image. The user using the control key section 50 provides output instructions for the image data. Order information describing the output instructions are generated in a predetermined data format and stored in the recording medium 60 along with the corresponding image data. Nakazawa discloses that the monitor section 30 can display the index picture consisting of plurality of frames of image data along with the instructed order information . An order is certified by the user by recording confirmed order information in the recording medium 60 when a predetermined order confirmation operation is performed by the user operating the control key 50 indicating that the user has confirmed the content of the output instructions by watching the display of the display medium 30. When the order and order confirmations completed, the CPU 70 outputs the order information to the printer 24 by which the image data is printed in accordance with the confirmed order information (Col. 8, Line 4 - Col. 9, Line 55). The examiner points out that the system as discussed in Nakazawa is viewed as a digital camera system because the CCD (13) captures images and outputs a digitized image. Therefore, it is viewed by the examiner that the data obtaining means, the instruction receiving means, the order information recording means, the order content confirming means, and the order certifying means are provided in a digital camera.

4: Referring to claim 4, Nakazawa discloses an order receiving apparatus in figure 7 which receives an order for an image output service by obtaining order information in a digital format,

the order receiving apparatus comprises: data reading means for reading the order information input by the user using the control keys 50 describing an output instruction regarding image data from a recording medium 60, confirmed information certifying means is provided for the print order information input by the user using control keys 50 and then confirmed by the user where the certifying means records the confirmed order information in the recording medium 60, and output instructing means is provided by CPU 70 for instructing, based on the order information recorded in the recording medium, output of the image data to the printer 24 when the confirmed order information is recorded in the recording medium 60 (Col. 8, Line 4, Col. 9, Line 55). The examiner points out that the system as discussed in Nakazawa is viewed as a digital camera system because the CCD (13) captures images and outputs a digitized image.

5: As for Claim 19, Nakazawa teaches in the abstract that the digital camera (system depicted in Figure 1) is capable of taking an image of a real object (the information recorded on the film (11) is viewed as an image of a real object), and wherein the display medium (200) is capable of displaying the image of the real object when the image is taken and during order processing.

6: In regards to Claim 20, Nakazawa teaches in the abstract that the digital camera (system depicted in Figure 1) is capable of taking an image of a real object (the information recorded on the film (11) is viewed as an image of a real object), and wherein the display medium (200) is capable of displaying the image of the real object when the image is taken and during order processing.

7: In regards to Claim 22, Nakazawa teaches in the abstract that the digital camera (system depicted in Figure 1) is capable of taking an image of a real object (the information recorded on

the film (11) is viewed as an image of a real object), and wherein the display medium (200) is capable of displaying the image of the real object when the image is taken and during order processing.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8: Claims 3, 5, 21, 23, 24, 28, 33 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,331,903 Nakazawa et al in view of USPN 5,448,377 Kinoshita et al.

9: Referring to claim 3, Nakazawa discloses an order processing apparatus used in an image output service comprising the means for obtaining image data by photographing image data using a CCD 13 in figure 8 and storing all picture data for the photographed frames in the recording medium 60. The obtained image data is displayed on the display medium 30 for the user to preview the image. The user using the control key section 50 provides output instructions for the image data. Order information describing the output instructions are generated in a predetermined data format and stored in the recording medium 60 along with the corresponding image data. Nakazawa discloses that the monitor 30 can display the index picture consisting of plural frames of image data along with the instructed order information. An order is certified by the user by recording confirmed order information in the recording medium 60 when a predetermined order confirmation operation is performed by the user operating the control key 50 indicating that the user has confirmed the content of the output instructions by watching the

display of the display medium 30. When the order and order confirmations completed, the CPU 70 outputs the order information to the printer 24 by which the image data is printed in accordance with the confirmed order information (Col. 8, Line 4 - Col. 9, Line 55). The examiner points out that the system as discussed in Nakazawa is viewed as a digital camera system because the CCD (13) captures images and outputs a digitized image. Therefore, it is viewed by the examiner that the data obtaining means, the display means, the instruction receiving means, the order information recording means, the order content confirming means, and the order certifying means are provided in a digital camera. However, Nakazawa et al does not teach the use of physically integrating all the system components into a single body.

Kinoshita et al teaches on Column 6, Lines 6-16 and depicts in Figure 2 that it was advantageous at the time the invention was made to make photo-processing station into stand alone units which include all the components into a single body. This is advantageous because it makes the system more compact and portable.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate all the components of the photo-processing device of Nakazawa into a single body as taught by Kinoshita et al in order to make the system more compact and portable.

10: Referring to claim 5, Nakazawa discloses a digital camera comprising an order processing apparatus comprising the means for obtaining image data by photographing image data using a CCD 13 in figure 8 and storing all picture data for the photographed frames in the recording medium 60. The obtained image data is displayed on the display medium 30 for the user to preview the image. The user using the control key section 50 provides output instructions

for the image data. Order information describing the output instructions are generated in a predetermined data format and stored in the recording medium 60 along with the corresponding image data. Nakazawa discloses that the monitor section 30 can display the index picture consisting of plural frames of image data along with the instructed order information. An order is certified by the user by recording confirmed order information in the recording medium 60 when a predetermined order confirmation operation is performed by the user operating the control key 50 indicating that the user has confirmed the content of the output instructions by watching the display of the display medium 30. When the order and order confirmations completed, the CPU 70 outputs the order information to the printer 24 by which the image data is printed in accordance with the confirmed order information (Col. 8, Line 4-Col. 9, Line 55). The examiner points out that the system as discussed in Nakazawa is viewed as a digital camera system because the CCD (13) captures images and outputs a digitized image. Therefore, it is viewed by the examiner that the photographing means, the image recording means, the display means, the instruction receiving means, the order information recording means, the order content confirming means, and the order certifying means are provided in the digital camera. However, Nakazawa et al does not teach the use of physically integrating all the system components into a single body.

Kinoshita et al teaches on Column 6, Lines 6-16 and depicts in Figure 2 that it was advantageous at the time the invention was made to make photo-processing station into stand alone units which include all the components into a single body. This is advantageous because it makes the system more compact and portable.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate all the components of the photo-processing device of Nakazawa

into a single body as taught by Kinoshita et al in order to make the system more compact and portable.

11: As for Claim 21, Nakazawa teaches in the abstract that the digital camera (system depicted in Figure 1) is capable of taking an image of a real object (the information recorded on the film (11) is viewed as an image of a real object), and wherein the display medium (200) is capable of displaying the image of the real object when the image is taken and during order processing.

12: In regards to Claim 23, Nakazawa teaches in the abstract that the digital camera (system depicted in Figure 1) is capable of taking an image of a real object (the information recorded on the film (11) is viewed as an image of a real object), and wherein the display medium (200) is capable of displaying the image of the real object when the image is taken and during order processing.

13: As for Claim 24, Nakazawa et al teaches the use of a photo-finishing system which can take orders and scan images. However, Nakazawa et al does not teach the use of physically integrating all the system components into a single body.

Kinoshita et al teaches on Column 6, Lines 6-16 and depicts in Figure 2 that it was advantageous at the time the invention was made to make photo-processing station into stand alone units which include all the components into a single body. This is advantageous because it makes the system more compact and portable.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate all the components of the photo-processing device of Nakazawa

into a single body as taught by Kinoshita et al in order to make the system more compact and portable.

14: In regards to Claim 28, Nakazawa et al teaches the use of a photo-finishing system which can take orders and scan images. However, Nakazawa et al does not teach the use of physically integrating all the system components into a single body.

Kinoshita et al teaches on Column 6, Lines 6-16 and depicts in Figure 2 that it was advantageous at the time the invention was made to make photo-processing station into stand alone units which include all the components into a single body. This is advantageous because it makes the system more compact and portable.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to integrate all the components of the photo-processing device of Nakazawa into a single body as taught by Kinoshita et al in order to make the system more compact and portable.

15: As for Claim 33, Nakazawa et al teaches the use of a photo-processing station which allows a user to bring a roll of film to be scanned and have prints made from the scanned negatives. However, Nakazawa et al does not teach that the system can also receive imaged from a digital memory card which contains images captured using a digital camera.

Official notice is taken that it was notoriously well known in the art at the time the invention was made to enable photo processing facilities to receive both photographic film and images stored in a removable memory card of a camera in order to allow the photo-processing facility to provide services to individuals with digital cameras.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the photofinishing system of Nakazawa et al to read images stored in a memory card removed from a digital camera to enable the system to process images captured by both digital cameras and film cameras.

16: As for Claim 37, Nakazawa et al teaches the use of a photo-processing station which allows a user to bring a roll of film to be scanned and have prints made from the scanned negatives. However, Nakazawa et al does not teach that the system can also receive imaged from a digital memory card which contains images captured using a digital camera.

Official notice is taken that it was notoriously well known in the art at the time the invention was made to enable photo processing facilities to receive both photographic film and images stored in a removable memory card of a camera in order to allow the photo-processing facility to provide services to individuals with digital cameras.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the photofinishing system of Nakazawa et al to read images stored in a memory card removed from a digital camera to enable the system to process images captured by both digital cameras and film cameras.

17: Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,331,903 Nakazawa et al in view of USPN 5,448,377 Kinoshita et al in view of USPN 6,381,582 Walker et al.

18: Referring to Claim 10, Nakazawa does not disclose that the order certifying means records data in addition to the order information data in the recording medium such as a valid date. However, storing an order confirmation date is well known as taught by Walker. Along

with an order confirmation code 48 in figure 2B, Walker also records an order date 54 representing the date at which payment for the order has been received (Col. 6, Lines 33 - 46).

Storing an order date as another confirmation code is useful as a means to provide confirmation to the user and the merchant that payment has been received to avoid any billing disputes. Therefore it would have been obvious to store a confirmation date with the order information of Nakazawa so as to provide proof of payment to the user and the image fulfillment center.

19: Referring to claim 11, Nakazawa does not disclose that the order certifying means records data in addition to the order information data in the recording medium such as code. However, Walker discloses a method of capturing electronic order information and generating an order code otherwise known as an order confirmation number or purchase number, when the user confirms an order by transmitting it to an order fulfillment center. The order confirmation number of Walker is sent to the user as confirmation that the order has been received and is stored along with the order, as shown in figure 2B, as a unique identifier allowing the user to track an order by presenting the tracking number to the merchant (Col. 6, Lines 33 - 46 and Col. 10, Lines 15 - 24).

Therefore it would have been obvious to use the confirmation order number of Walker with the camera/printer system of Nakazawa so the user can receive confirmation from the fulfillment center that the order has been received and so that orders may be tracked to ensure they era completed, on time and correctly.

20: Referring to claim 12, Nakazawa discloses an image recording means for recording each image as an image file in the recording medium 60, the order information recording means

records the order information as accompanying information included in the image file, and the order certifying means certifies an order when the user confirms the order information (Col. 8, Line 4 - Col. 9, Line 55). Nakazawa does not disclose that the order certifying means records data in addition to the order information data in the recording medium such as code.

However, Walker discloses a method of capturing electronic order information and generating an order code otherwise known as an order confirmation number or purchase number, when the user confirms an order by transmitting it to an order fulfillment center. The order confirmation number of Walker is sent to the user as confirmation that the order has been received and is stored along with the order, as shown in figure 2B, as a unique identifier allowing the user to track an order by presenting the tracking number to the merchant (Col. 6, Lines 33 - 46 and Col. 10, Lines 15 - 24).

Therefore it would have been obvious to use the confirmation order number of Walker with the camera/printer system of Nakazawa so the user can receive confirmation from the fulfillment center that the order has been received and so that orders may be tracked to ensure they are completed, on time and correctly.

21: Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,331,903 Nakazawa et al in view of USPN 5,448,377 Kinoshita et al in view of USPN 5,983,200 Slotznick.

22: Referring to claim 13, Nakazawa discloses an electronic order system that allows a user input and confirm print orders and to submit the electronic confirmed print orders to a fulfillment center. Nakazawa does not specifically disclose an urging means for carrying out a display prompting an order confirmation. However, Slotznick discloses an electronic order system with a

graphic interface comprising an order confirmation means. Figures 4, 6 and 7 of Slotznick show an order screen where a user selects details of the items being ordered, shipping information, billing information, etc. In the bottom middle portion of the order window, an urging means is provided and labeled, "save This Order", prompting the user to confirm the order information input on the order screen.

Therefore it would have been obvious to display an urging means at shown by Slotznick on the camera display of the camera/printer system of Nakazawa to remind the user to confirm their order thereby properly storing it in the recording medium.

23: Referring to claim 14, Referring to claim 14, Slotznick discloses a display message in Figures 6 and 7 urging the user to confirm order information output on a display monitor.

24: Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,331,903 Nakazawa et al in view of USPN 5,448,377 Kinoshita et al in view of USPN 5,440,343 Parulski et al in further view of USPN 6,529,236 Watanabe.

25: Referring to claim 17, Nakazawa fails to teach or suggest a recording mode means for enabling a selection of a printing mode wherein in the printing mode the photographing means is set at maximum resolution.

Parulski discloses that it is well known to provide a photographing means having multiple modes of image capture. The camera system as shown in figure 1 of Parulski comprises a mode select 20 on the operator control unit allowing the user to toggle the operation of the photographing means between a low resolution mode of image capture where the object image is captured in standard NTSC format and a high resolution mode of image capture where pixel signals of the entire pixel sensor are used to pick up a quality still image (Col. 2, Lines 1 - 31).

Therefore it would have been obvious to provide the resolution modes of Parulski with the image capture system of Nakazawa so that the user may capture a moving image or high quality still image.

Parulski does not disclose that the high-resolution still mode is a print mode. However, Wantanabe discloses that it is well known to provide a printing means for producing hard copies of captured still images. In addition Wantanabe also discloses that when capturing an image for printing, it is ideal that the captured image be high resolution (Col. 1, Lines 28 - 44 and Col. 16, Lines 23 - 50).

Therefore it would have been obvious to one of ordinary skill in the art as taught by Wantanabe, to use the high resolution mode of Parulski as a printing mode so that the user captures images in the best quality when it is intended that they be reproduced by printing means and that the normal resolution mode of Parulski be designated as the non-printing mode because as taught by Wantanabe, the user would desire a high resolution in a image if it is being printed.

26: Referring to claim 18, Parulski discloses a non printing mode of image capture where moving images are captured in a low resolution NTSC format (Col. 2, Lines 1 - 31). Parulski also discloses an alternative embodiment where an HTDV image sensor is used to obtain the still images for the print mode and the motion images of the non-print mode. According to Parulski, motion images could be provided by selecting high quality non-compressed HTDV format or low resolution NTSC format by using a down-conversion compressing the HDTV signal to a standard definition format (Col. 1, Lines 43 - 54).

27: Claims 27, 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,331,903 Nakazawa et al in view of US 2001/0030687 Kondo et al.

28: As for Claim 27, Nakazawa et al teaches the use of a system which captures an image by scanning a photographic film. Nakazawa et al teaches on Column 7, Lines 44-51 the use of a focusing lens to focus the image onto the CCD. However, Nakazawa et al is silent to the teaching of supplying an adjustable focus mechanism to allow the film scanner to adjust the focus.

Kondo et al teaches on Paragraphs [0062-0064] and depicts in Figure 1 the use of a film scanner with an adjustable focus mechanism (105). In order to allow the film scanner to better focus the image on the film.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the adjustable focus mechanism in the film scanner of Kondo et al in the film scanner of Nakazawa et al in order to allow the film scanner of Nakazawa to better focus the image on the film.

29: As for Claim 31, Nakazawa et al teaches the use of a system which captures an image by scanning a photographic film. Nakazawa et al teaches on Column 7, Lines 44-51 the use of a focusing lens to focus the image onto the CCD. However, Nakazawa et al is silent to the teaching of supplying an adjustable focus mechanism to allow the film scanner to adjust the focus.

Kondo et al teaches on Paragraphs [0062-0064] and depicts in Figure 1 the use of a film scanner with an adjustable focus mechanism (105). In order to allow the film scanner to better focus the image on the film.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the adjustable focus mechanism in the film scanner of Kondo et al in the film scanner of Nakazawa et al in order to allow the film scanner of Nakazawa to better focus the image on the film.

30: As for Claim 34, Nakazawa et al teaches the use of a system which captures an image by scanning a photographic film. Nakazawa et al teaches on Column 7, Lines 44-51 the use of a focusing lens to focus the image onto the CCD. However, Nakazawa et al is silent to the teaching of supplying an adjustable focus mechanism to allow the film scanner to adjust the focus.

Kondo et al teaches on Paragraphs [0062-0064] and depicts in Figure 1 the use of a film scanner with an adjustable focus mechanism (105). In order to allow the film scanner to better focus the image on the film.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the adjustable focus mechanism in the film scanner of Kondo et al in the film scanner of Nakazawa et al in order to allow the film scanner of Nakazawa to better focus the image on the film.

31: Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,331,903 Nakazawa et al in view of USPN 5,448,377 Kinoshita et al in further view of US 2001/0030687 Kondo et al.

32: As for Claim 38, Nakazawa et al in view of Kinoshita et al teaches the use of a system which captures an image by scanning a photographic film. Nakazawa et al teaches on Column 7, Lines 44-51 the use of a focusing lens to focus the image onto the CCD. However, Nakazawa et al is silent to the teaching of supplying an adjustable focus mechanism to allow the film scanner to adjust the focus.

Kondo et al teaches on Paragraphs [0062-0064] and depicts in Figure 1 the use of a film scanner with an adjustable focus mechanism (105). In order to allow the film scanner to better focus the image on the film.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the adjustable focus mechanism in the film scanner of Kondo et al in the film scanner of Nakazawa et al in order to allow the film scanner of Nakazawa to better focus the image on the film.

33: Claims 26 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,331,903 Nakazawa et al.

34: As for Claim 26, Nakazawa et al teaches the use of a photo-processing station which allows a user to bring a roll of film to be scanned and have prints made from the scanned negatives. However, Nakazawa et al does not teach that the system can also receive imaged from a digital memory card which contains images captured using a digital camera.

Official notice is taken that it was notoriously well known in the art at the time the invention was made to enable photo processing facilities to receive both photographic film and images stored in a removable memory card of a camera in order to allow the photo-processing facility to provide services to individuals with digital cameras.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the photofinishing system of Nakazawa et al to read images stored in a memory card removed from a digital camera to enable the system to process images captured by both digital cameras and film cameras.

35: As for Claim 30, Nakazawa et al teaches the use of a photo-processing station which allows a user to bring a roll of film to be scanned and have prints made from the scanned negatives. However, Nakazawa et al does not teach that the system can also receive imaged from a digital memory card which contains images captured using a digital camera.

Official notice is taken that it was notoriously well known in the art at the time the invention was made to enable photo processing facilities to receive both photographic film and images stored in a removable memory card of a camera in order to allow the photo-processing facility to provide services to individuals with digital cameras.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the photofinishing system of Nakazawa et al to read images stored in a memory card removed from a digital camera to enable the system to process images captured by both digital cameras and film cameras.

Allowable Subject Matter

36: Claims 6-9, 15, 16, 25, 29, 32 and 35-37 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James M. Hannett whose telephone number is 571-272-7309. The examiner can normally be reached on 8:00 am to 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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James M. Hannett
Examiner
Art Unit 2612

JMH
February 14, 2006

Examiner: Lin Ye
Technology Division 2622